

CV119-0214

U.S. DISTRICT COURT  
AUGUSTA DIV.  
FILED  
2019 DEC 16 PM 1:52

CLERK  
SO. DIST. OF GA.  
*J. Hock*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

**RULE 26 INSTRUCTION ORDER**

In a case originally filed in this district, the parties shall confer as provided in Federal Rule of Civil Procedure 26(f) by the earlier of sixty days after any defendant has been served with the complaint or forty-five days after any defendant has appeared. L.R. 26.1(a).<sup>1</sup> In removed cases, the parties shall confer within twenty-one days from the later of the date of removal or filing of the last answer, but in no event later than forty-five days after first appearance by answer or Rule 12 motion of any defendant named in the original complaint. L.R. 26.1(e). In cases transferred from another district, the parties shall confer within twenty-one days of the case docketing in this district. L.R. 26.1(f).

Within fourteen days after the Rule 26(f) conference, the parties shall complete and file the attached Rule 26(f) report. L.R. 26.1(b). A copy of this form in fillable format can be found by following this link: <https://www.gasd.uscourts.gov/sites/gasd/files/rule26f.pdf>. A party who cannot gain the cooperation of the other party in preparing the report should advise the Court prior to the filing deadline.

**SO ORDERED.**

*Brian K. Epps*  
BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA

<sup>1</sup> The Local Rules may be found on the Court's website at [www.gasd.uscourts.gov](http://www.gasd.uscourts.gov).

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

v. )  
Plaintiff )  
 )  
 )  
 ) Case No.  
 )  
 )  
 )  
Defendant )

**RULE 26(f) REPORT**

1. Date of Rule 26(f) conference: \_\_\_\_\_
2. Parties or counsel who participated in conference:  
\_\_\_\_\_  
\_\_\_\_\_
3. If any defendant has yet to be served, please identify the defendant and state when service is expected.  
\_\_\_\_\_
4. Date the Rule 26(a)(1) disclosures were made or will be made:  
\_\_\_\_\_
5. If any party objects to making the initial disclosures required by Rule 26(a)(1) or proposes changes to the timing or form of those disclosures,
  - (a) Identify the party or parties making the objection or proposal:  
\_\_\_\_\_  
\_\_\_\_\_
  - (b) Specify the objection or proposal:  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. The Local Rules provide a 140-day period for discovery. If any party is requesting additional time for discovery,

(a) Identify the party or parties requesting additional time:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) State the number of months the parties are requesting for discovery:

months \_\_\_\_\_

(c) Identify the reason(s) for requesting additional time for discovery:

- Unusually large number of parties
- Unusually large number of claims or defenses
- Unusually large number of witnesses
- Exceptionally complex factual issues
- Need for discovery outside the United States

(d) Other: \_\_\_\_\_  
Please provide a brief statement in support of each of the reasons identified above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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7. If any party is requesting that discovery be limited to particular issues or conducted in phases, please

(a) Identify the party or parties requesting such limits:

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(b) State the nature of any proposed limits:

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8. The Local Rules provide, and the Court generally imposes, the following deadlines:

Last day for filing motions to add or join parties or amend pleadings	60 days after issue is joined
Last day to furnish expert witness report by plaintiff	60 days after Rule 26(f) conference
Last day to furnish expert witness report by a defendant	90 days after Rule 26(f) conference (or 60 days after the answer, whichever is later)

Last day to file motions

30 days after close of discovery

If any party requests a modification of any of these deadlines,

- (a) Identify the party or parties requesting the modification:

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- (b) State which deadline should be modified and the reason supporting the request:

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9. If the case involves electronic discovery,

- (a) State whether the parties have reached an agreement regarding the preservation, disclosure, or discovery of electronically stored information, and if the parties prefer to have their agreement memorialized in the scheduling order, briefly describe the terms of their agreement:

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- (b) Identify any issues regarding electronically stored information as to which the parties have been unable to reach an agreement:

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10. If the case is known to involve claims of privilege or protection of trial preparation material,
- (a) State whether the parties have reached an agreement regarding the procedures for asserting claims of privilege or protection after production of either electronic or other discovery material:
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- (b) Briefly describe the terms of any agreement the parties wish to have memorialized in the scheduling order (or attach any separate proposed order which the parties are requesting the Court to enter addressing such matters):
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- (c) Identify any issues regarding claims of privilege or protection as to which the parties have been unable to reach an agreement:
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11. State any other matters the Court should include in its scheduling order:
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12. The parties certify by their signatures below that they have discussed the nature and basis of their claims and defenses and

the possibilities for prompt settlement or resolution of the case. Please state any specific problems that have created a hindrance to the settlement of the case:

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This \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Signed: \_\_\_\_\_  
*Attorney for Plaintiff*

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*Attorney for Defendant*